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HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE

KIMBERLY ANN JOHNSON,

Plaintiff.

Case No. 2:18-cy-01678-RAJ

v.

ALBERTSONS, LLC,

Defendant.

DECLARATION OF JEFFREY L. NEEDLE IN SUPPORT OF PLAINTIFF'S REPLY TO DEFENDANT'S OPPOSITION TO PLAINTIFF'S PETITION FOR ATTORNEY FEES AND COSTS

Jeffrey L. Needle does hereby declare under penalty of perjury under the laws of the United States and the State of Washington that the following is true and correct and from my personal knowledge:

- 1. That I am attorney for Plaintiff in the above reference case. I am competent to testify to the facts alleged herein and do so upon personal knowledge.
- 2. Since April 20, 2020, I have spent 25 hours working on Plaintiff's Petition for Attorney Fees and Costs, and a tax adjustment, and prejudgment interest. These hours were not included in my first fee petition and should be compensated at the rate of \$575 per hour. These hours should not be included in my request for a multiplier. Attached hereto as Exhibit 1 is a log of hours from April 20, 2020 to present.

DECLARATION OF JEFFREY L. NEEDLE IN SUPPORT OF PLAINTIFF'S REPLY TO DEFENDANT'S OPPOSITION TOPLAINTIFF'S PETITION FOR ATTORNEY FEES AND COSTS - 1 Case No. 2:18-cv-01678-RAJ

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	3.	Fron	n Mar	ch	7, 2020	thro	ough Apr	il 19,	2020	I logge	ed 39	hours	and 1	17 minu	ites, w	hich
were	inclu	ıded	in m	y (original	fee	petition.	Dkt.	No.	110-1,	Ex.	В.	Γhese	hours	should	d be
comp	ensat	ted at	the ra	ate	of \$575	per l	hour but	should	d not	be inclu	ided i	in my	reques	st for a	multip	lier.

4. On January 11, 2020, Plaintiff demanded \$1.78 million in full settlement of all claims. On May 23, 2019, the Defendant made an offer of judgment in the amount of \$52,000 plus reasonable attorney fees and costs to the date of the offer. Dkt. No. 110-1, Ex. A. Shortly before trial, Sean Jackson, attorney for Albertsons, advised that the Defendant was willing to consider a settlement for a six figure amount. We did not consider this settlement offer a substantial change from the Defendant's previous position. At no time has Albertsons ever made an offer of settlement which remotely approached Plaintiff's demand made on January 11, 2020.

Respectfully submitted this 29th day of May 2020.

By: /s/ Jeffrey L. Needle

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DECLARATION OF JEFFREY L. NEEDLE IN SUPPORT OF PLAINTIFF'S REPLY TO DEFENDANT'S OPPOSITION TOPLAINTIFF'S PETITION FOR ATTORNEY FEES AND COSTS - 2 Case No. 2:18-cv-01678-RAJ

1 **CERTIFICATE OF SERVICE** I hereby certify and declare that on May 29, 2020, the foregoing document was electronically 2 filed with the Clerk of the Court using the CM/ECF system, which automatically generated an 3 electronic notification of such filing to all parties in the case who are registered users of the CM/ECF 4 system. I hereby certify that the foregoing document was sent to the following participants: 5 6 D. Michael Reilly, WSBA No. 14674 Sean D. Jackson, WSBA No. 33615 ☐ Legal Messenger 7 ☐ Facsimile Beth G. Joffe, WSBA No. 42782 ☐ Electronic Mail David G. Hosenpud, pro hac vice 8 LANE POWELL PC ☐ U.S. First Class Mail 9 1420 Fifth Avenue, Suite 4200 ☐ eFiling/eService P.O. Box 91302 ⊠ CM/ECF 10 Seattle, WA 98111-9402 Telephone: (206) 223-7000 11 Facsimile: (206) 223-7107 Email: reillym@lanepowell.com 12 Email: jacksons@lanepowell.com 13 Email: joffeb@lanepowell.com Email: hosenpudd@lanepowell.com 14 Attorneys for Defendant 15 16 The foregoing statement is made under the penalty of perjury under the laws of the United 17 States of America and the State of Washington and is true and correct. 18 DATED this 29th day of May 2020. 19 By: /s/ Christine A. Thomas 20 Christine A. Thomas, Paralegal Law Office of Susan B. Mindenbergs 21 705 Second Avenue, Suite 1050 Seattle, WA 98104 22 Telephone: (206) 447-1560 Facsimile: (206) 447-1523 23 Email: christine@sbmlaw.net 24 25 26 DECLARATION OF JEFFREY L. NEEDLE IN SUPPORT JEFFREY NEEDLE OF PLAINTIFF'S REPLY TO DEFENDANT'S OPPOSITION ATTORNEY AT LAW 705 SECOND AVENUE, SUITE 1050 TOPLAINTIFF'S PETITION FOR ATTORNEY FEES

AND COSTS - 3 Case No. 2:18-cv-01678-RAJ

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